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Save On SP, LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOHNSON & JOHNSON HEALTH CARE
SYSTEMS INC.,

Plaintiff,

v.

SAVE ON SP, LLC,

Defendant.

Civil Action No. 2:22-cv-02632 (JMV)(CLW)

Document electronically filed.

**CERTIFICATION OF
DAVID ELSBERG, ESQ.
IN SUPPORT OF APPLICATION FOR
ADMISSION *PRO HAC VICE***

I, **DAVID ELSBERG, ESQ.**, of full age, make this application to appear as counsel *pro hac vice* in the above-captioned action, and declare as follows:

1. I am a Partner at the law firm of Selendy Gay Elsberg PLLC, 1290 Avenue of the Americas, New York, New York 10104. I am fully familiar with the facts and circumstances surrounding this litigation, and I submit this Certification in support of the application for my admission *pro hac vice* pursuant to Local Civil Rule 101.1(c)(3).

2. My law firm has been retained as counsel for Defendant Save On SP, LLC (“SaveOnSP”) in this litigation. The issues raised in this litigation involve areas with which I have experience in the law.

3. Attached hereto as Exhibit A is a true and correct table that identifies, to the best of my knowledge, my bar admissions, the year in which I was admitted to each bar, and, for each bar, the name and address of the official or office maintaining the roll of its members.

4. I am not under suspension or disbarment by any court and have never been subjected to any disciplinary action by any court or governing body.

5. I am ineligible for plenary admission to the bar of this Court pursuant to Local Civil Rule 101.1(b).

6. I am willing to submit to the jurisdiction of this Court and to comply with all of its rules and procedures. To ensure my familiarity with these regulations I have reviewed the local rules of this Court.

7. I have never been convicted of a felony crime, censured, suspended, disciplined, or disbarred by any court, nor are there any disciplinary or contempt proceedings involving me pending before any court, nor have I been denied admission to any court during the last five years.

8. Pursuant to the rules of this Court, E. Evans Wohlforth, Jr., Esq., or another member of the law firm Gibbons P.C., who is a member in good standing of the bars for the State of New Jersey and the United States District Court for the District of New Jersey, will review and sign all pleadings, briefs, and other papers filed with the Court on behalf of SaveOnSP and will be present for all appearances before the Court unless previously excused from appearing by the Court.

9. I agree to strictly observe the dates fixed for scheduling conferences, motions, briefs, pre-trial conferences, trial, or other proceedings, to submit to the jurisdiction of this Court for the purposes of sanctions, discipline, or other such action as the Court may deem proper, and to otherwise abide by all the terms and conditions of Local Civil Rule 101.1(c). I agree to be bound by the rules governing practice in the New Jersey Courts, including the disciplinary rules.

10. Pursuant to Local Civil Rule 101.1(c)(2), I agree to pay, or cause to be paid, the annual fee required by the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Court Rule 1:28-2(a) and as directed by the Trustees of the Fund. I further agree that, pursuant to Local Civil Rule 101.1(c)(3), I shall pay, or cause to be paid, \$150.00 to the Clerk of the United States District Court for the District of New Jersey.

11. In light of the foregoing, I respectfully request on behalf of SaveOnSP that I be admitted *pro hac vice* for the purpose of representing it in this matter in association with Gibbons P.C.

I declare under penalty of perjury that the foregoing is true and accurate. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ David Elsberg
David Elsberg, Esq.

Dated: June 15, 2022

EXHIBIT A

Bar Admissions

Bar	Year of Admission	Name and Address of the Official or Office Maintaining the Bar's Roll
State of New York	1997	New York State Office of Court Administration Attorney Registration Unit 25 Beaver Street New York, NY 10004
United States District Court for the Southern District of New York	2003	Office of Attorney Services of the United States District Court, Southern District of New York 500 Pearl Street New York, NY 10007
United States District Court for the Eastern District of New York	2003	Attorney Admission Clerk of the United States District Court for the Eastern District of New York 100 Federal Plaza Central Islip, NY 11722
United States Court of Appeals for the First Circuit	2016	Attorney Admission Clerk of the United States Court of Appeals for the First Circuit 1 Courthouse Way, Suite 2500 Boston, MA 02210
United States Court of Appeals for the Second Circuit	2013	Attorney Admission Clerk of the United States Court of Appeals for the Second Circuit 40 Foley Square New York, NY 10007
United States Court of Appeals for the Sixth Circuit	2017	Attorney Admission Clerk of the United States Court of Appeals for the Sixth Circuit 540 Potter Stewart U.S. Courthouse 100 E. Fifth Street Cincinnati, OH 45202